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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/589,655	08/16/2006	Olivier Heen	PF040026	9979
24498 7590 12/23/2010 Robert D. Shedd, Patent Operations THOMSON Licensing LLC P.O. Box 5312 Princeton, NJ 08543-5312				
EXAMINER SIDDIQI, MOHAMMAD A				
ART UNIT 2493		PAPER NUMBER		
MAIL DATE 12/23/2010		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/589,655

Applicant(s)

HEEN ET AL.

Examiner

MOHAMMAD A. SIDDIQI

Art Unit

2493

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 5-12 are examined. Claims 1-4 have been cancelled.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 5-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Eiden et al. (6,829,487) (Hereinafter Eiden).

4. As per claim 5, Eiden discloses a method for inserting a new device in a community of devices comprising (fig 1-2): selecting, by a user, a user chosen device from one of the community of devices for authorizing insertion of a new device into the community (fig 2, col 5, lines 1-33);

storing, by each device of the community which receives an insertion request from a new device (204, 205, fig 2, col 6, lines 22-58, member stores the information in his communication device), the insertion request in a memory of said each device (204, 205, fig 2, col 6, lines 22-58, member stores the information in his communication device);

forwarding (col 5, lines 10-13, message transmitted to each group member), by each device of the community which receives a request from the user chosen device (elements of fig 2, col 6, lines 22-58), the at least one stored insertion request to said user chosen device (204, 205, fig 2, col 6, lines 22-58, member stores the information in his communication device);

performing, by the user chosen device, at least one user action for authorizing the insertion of the new device into the community (votes for the new member, elements of the fig 2, col 6, lines 22-58).

5. As per claim 6, Eiden discloses further comprising a step of: selecting, using the user interface of the user chosen device (fig 1 and 2, col 6, lines 22-58), one of the insertion requests received by the user chosen device, to authorize the device having emitted said insertion request to be inserted in the community (voting, elements of fig 2, col 6, lines 22-58).

6. As per claim 7, Eiden discloses further comprising a step of: sending, from said user chosen device, an insertion request to the new device inserted in the community to request that said user chosen device enters the new device's community (fig 1-2, col 6, lines 22-58).

7. As per claim 8, Eiden discloses wherein said insertion request from said user chosen device is transmitted to the new device inserted in the community through the

device of the community having first forwarded (message can be transmitted, col 5, lines 10-15, voting anticipates forwarding info to every member in the group) the insertion request from the new device to the user chosen device in case said user chosen device cannot directly communicate with the new device community (voting, elements of fig 2, col 6, lines 22-58).

8. As per claim 9, Eiden discloses device adapted to belong to a community of networked devices, characterized in that wherein said device comprises:

a first memory for storing at least one insertion request received from a new device requesting to be inserted in the community (fig 4, col 6, lines 22-58);
a network interface (fig 4, col 2, lines 19-21) for sending the at least one insertion request stored in said first memory upon request from a device chosen by a user of the community for performing at least one user action for authorizing the insertion of the new device in the community (votes for the new member, elements of the fig 2, col 6, lines 22-58);

a second memory for storing insertion requests sent by other devices of the community (204, 205, fig 2, col 6, lines 22-58)

9. As per claim 10, Eiden discloses a user interface allowing a user to select one of the insertion requests received by the user chosen device (fig1-2), to authorize the device (votes for the new member, elements of the fig 2, col 6, lines 22-58) having emitted said insertion request to be inserted in the community when said device is the

user chosen device (votes for the new member, elements of the fig 2, col 6, lines 22-58).

10. As per claim 11, Eiden discloses insertion requests contain a provable identity of the new device (col 3, lines 1-33).

11. As per claim 12, Eiden discloses the device having received an insertion request from a new device is further able to broadcast the provable identity of the chosen device to the new device (fig 1-2, col 3, lines 1-33, message transmitted to every member of the group).

Response to Arguments

12. Applicant's arguments filed 10/05/2010 have been fully considered but they are not persuasive, therefore a rejection to claims 5-12 is maintained.

13. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "A laptop is connected to the gateway through a wireless connection. A user selects the PC as the user chosen device to authorize new devices into the community. The laptop requests insertion into the community to the gateway. The gateway forwards the insertion request to the PC.".....) are not recited in the rejected claim(s). Although

Art Unit: 2493

the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

14. In the remarks applicants argued that:

In general, Applicant's arguments reflect a difference of opinion over the teachings of the prior art and how these teachings would be evaluated in light of the knowledge generally available to those in the appropriate art and the level of ordinary skill in the art. Moreover, Applicant's take an overly narrow view of the claim language. Although operational characteristics of claimed invention may be apparent from the specification and remarks, however such characteristics and arguments can not be ported into the claims. Arguments can not be read into the claims when they cannot be fairly connected to the structure recited in the claims.

Argument: Eiden does not disclose forwarding, by each device of the community which receives a request from the user chosen device , the at least one stored insertion request to said user chosen device.

Response: Eiden discloses forwarding (col 5, lines 10-13, in fig 1 step 101 new member applies to join the group and the message is transmitted to each member of the group), by each device of the community which receives a request from the user chosen device (each member of the group receives the message, fig 2, col 6, lines 22-

58), the at least one stored insertion request to said user chosen device (204, 205, fig 2, col 6, lines 22-58, member stores the information in his communication device).

Argument: Eiden dose not disclose performing, by the user chosen device, at least one user action for authorizing the insertion of the new device into the community .

Response: Eiden discloses performing, by the user chosen device, at least one user action for authorizing the insertion of the new device into the community (votes for the new member, elements of the fig 2, col 6, lines 22-58).

Conclusion

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MOHAMMAD A. SIDDIQI whose telephone number is (571)272-3976. The examiner can normally be reached on Monday -Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on (571) 272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. A. S./
Examiner, Art Unit 2493

/Carl Colin/
Acting SPE of Art Unit 2493